

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

DAVID CORREIA,

Defendant.

19-CR-725-3 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On September 21, 2020, counsel for Defendant David Correia submitted to chambers a motion to withdraw as counsel for Mr. Correia, with declarations addressing the reasons for their motion to withdraw. They request that the declarations be filed under seal and ex parte, “as they pertain to Mr. Correia’s relationship with counsel.”

Any redaction or sealing of a court filing must be narrowly tailored to serve whatever purpose justifies the redaction or sealing and must be otherwise consistent with the presumption in favor of public access to judicial documents. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). Counsel’s representation that the declarations “pertain to Mr. Correia’s relationship with counsel” is insufficient to meet that standard. To the extent that the declarations include privileged or other confidential communications between counsel and Mr. Correia, they may properly be redacted. However, the facts that Mr. Correia has not paid his attorneys’ bills and that he may qualify for court-appointed counsel are not privileged and do not, in the Court’s view, meet the *Lugosch* standard.

Accordingly, counsel for Mr. Correia (1) shall promptly file their motion to withdraw on the public docket, (2) shall, on or before September 25, 2020, submit to chambers proposed redactions of their declarations, together with a letter explaining how such redactions satisfy the *Lugosch* standard, and (3) shall promptly work with Mr. Correia on the retention of replacement

counsel and/or preparation of a financial affidavit in support of court-appointed counsel. The Court will then schedule a conference to address counsel's motion to withdraw.

SO ORDERED.

Dated: September 22, 2020  
New York, New York



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J. PAUL OETKEN  
United States District Judge